

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANATOLIY ANDREYUK and JENNY  
FELIPPELLI, *as Executor of the Estate*  
*of JOSE FELIPPELLI,*

Plaintiffs,

**ORDER**

-against-

19-cv-7476 (AEK)

ASF CONSTRUCTION & EXCAVATION  
CORP. and ANDRE FERNANDEZ,

Defendants.

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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.**

The Court has been informed that the parties have reached a settlement in principle in this matter. ECF No. 121. Accordingly, it is hereby **ORDERED** that this action is dismissed without costs to any party, and without prejudice to restoring the action to the Court's calendar, provided the application is made within sixty (60) days of this Order. Any application to reopen that is filed after sixty (60) days from the date of this Order may be denied solely on that basis. Additionally, the trial in this matter that is currently scheduled to begin on April 11, 2023 is

**ADJOURNED.**

Dated: April 7, 2023  
White Plains, New York



ANDREW E. KRAUSE  
United States Magistrate Judge